

D.P.U. 94-2D

Application of Cambridge Electric Light Company:

- (1) under the provisions of G.L. c. 164, § 94G, as amended by St. 1981, c. 375, and the Company's tariff, M.D.P.U. No. 542B, for approval by the Department of Public Utilities of a change in the quarterly Fuel Charge to be billed to the Company's customers pursuant to meter readings in the billing months of January, February, and March 1995.
 - (2) for approval by the Department of rates to be paid to Qualifying Facilities for purchases of power pursuant to 220 C.M.R. §§ 8.00 et seq. and M.D.P.U. No. 404. The rules established in 220 C.M.R. §§ 8.00 et seq. set forth the filings to be made by utilities with the Department, and implement the intent of sections 201 and 210 of the Public Utility Regulatory Policies Act of 1978.
-

APPEARANCES: Eric J. Krathwohl, Esq.
Rich, May, Bilodeau & Flaherty
294 Washington Street
Boston, Massachusetts 02108

FOR: CAMBRIDGE ELECTRIC LIGHT
COMPANY
Petitioner

L. Scott Harshbarger, Attorney General
BY: Edward G. Bohlen
Joseph R. Rogers
Assistant Attorneys General
Regulated Industries Division
Public Protection Bureau
131 Tremont Street
Boston, Massachusetts 02108
Intervenor

I. INTRODUCTION

On December 6, 1994, pursuant to G.L. c. 164, § 94G and 220 C.M.R. §§ 8.00 et seq., Cambridge Electric Light Company ("Cambridge" or "Company") notified the Department of Public Utilities ("Department") of the Company's intent to file a quarterly change to its fuel charge in conformance with its tariff, M.D.P.U. 524B, and to its Qualifying Facility ("QF") power purchase rates in conformance with its tariff, M.D.P.U. 404. The Company requested that both these changes be effective for bills issued pursuant to meter readings for the billing months of January, February, and March 1995.

Cambridge, a wholly owned subsidiary of Commonwealth Energy System ("ComEnergy"), serves approximately 44,700 retail customers in the City of Cambridge, and sells power at wholesale to the Belmont Municipal Light Department. ComEnergy is an exempt holding company under the Public Utility Holding Company Act of 1935. ComEnergy's other subsidiaries, affiliates of Cambridge, include Commonwealth Electric Company ("Commonwealth"), Canal Electric Company ("Canal")¹, Commonwealth Gas Company and Commonwealth Energy Service Company ("ComEnergy Service"). Cambridge operates several small oil/gas-fired generating units and has contractual interests

¹ The electric operating subsidiaries are referred to collectively as "ComElectric."

in Canal Unit 1 and Canal Unit 2, two large oil-fired units owned by Canal.

Pursuant to notice duly issued, a public hearing on the Company's application was held on December 22, 1994 at the Department's offices in Boston. Notice of the hearing was published by the Company in the Boston Globe. The Company also complied with the requirement to mail a copy of the notice of the hearing to all persons with whom the Company has special retail contracts that do not incorporate a filed rate, and to notify all intervenors and their respective counsel from the Company's prior two fuel charge proceedings that it was proposing an adjustment to its fuel charge. The Company was also required to inform all intervenors of the date of the public hearing. The Attorney General of the Commonwealth ("Attorney General") intervened as of right in this proceeding pursuant to G.L. c. 12, § 11E.

At the hearing, the Company sponsored two witnesses: Charles R. Fox, Jr., senior rate analyst in rate administration at ComEnergy Services, and Michael R. Kirkwood, director of resource planning and administration for ComElectric. The Company submitted five exhibits: the prefiled testimony of Mr. Fox (Exh. CELC-1); schedules in support of Mr. Fox's testimony (Exh. CELC-2); bills and contracts for fuel oil supplies, purchased power, and transmission services for September, October, and November 1994 (Exh. CELC-3); the prefiled testimony of

Mr. Kirkwood (Exh. CELC-4); and schedules in support of Mr. Kirkwood's testimony (Exh. CELC-5). The evidentiary record also includes the Company's responses to three record requests.

II. FUEL CHARGE

On December 15, 1994, the Company filed with the Department its proposed changes to its fuel charge and QF power purchase rates for January, February, and March 1995. For these billing months, the Company proposes a fuel charge of \$0.02840 per kilowatt hour ("KWH"). The proposed fuel charge is \$0.00682 per KWH less than the fuel charge of \$0.03522 per KWH approved by the Department in Cambridge Electric Light Company, D.P.U. 94-2C (1994) ("D.P.U. 94-2C") for meter readings for the billing months of October, November, and December 1994 (Exh. CELC-1, at 5).

According to the Company, the most significant reasons for a change in projected recoverable costs for the upcoming quarter compared to those included in the previous filing, D.P.U. 94-2C, are the following: (1) an estimated overcollection of \$782,613 in the current filing (Exh. CELC-2, at Sch. 1) compared to an estimated undercollection of \$1,740,322 in the previous quarter (D.P.U. 94-2C at Table 1); (2) a decrease of \$1,061,000 in projected purchase power and transmission costs (Exh. CELC-1, at 6); (3) an increase of \$1,301,100 in projected energy costs (id.); (4) a decrease of \$40,821 to comply with

the Department's directive in Cambridge Electric Light Company, D.P.U. 92-2C-1 (1994), which found the Company imputedly imprudent regarding a February 26 through March 6, 1992 outage at Canal Unit 1 and ordered the Company to refund the excess cost of replacement power for the outage period in the next filing (Exh. CELC-1, at 8); and (5) a projected decrease of 7,871,000 in billed KWH sales from the last quarter because the Massachusetts Institute of Technology is expected to leave the system to self generate electricity effective February 1, 1995 (id. at 7).

The reasons for the projected decrease in purchased power and transmission costs, according to the Company, are a projected decrease in demand charges on the Altresco Pittsfield unit and the expiration of the Northeast Utilities Five-Year Slice of System Contract (Tr. at 45). With regard to the energy charge, the Company stated that the most significant reason for the increase is that Canal Unit 2 is expected to have more service hours in the upcoming quarter and therefore its energy costs will increase (id. at 46).

III. QUALIFYING FACILITIES

Pursuant to the Department's rules, 220 C.M.R. §§ 8.00 et seq., rates to be paid to QFs for short-run power purchases are set with the same frequency as the fuel charge. A QF is a small power producer or cogenerator that meets the criteria established by the Federal Energy

Regulatory Commission in 18 C.F.R. § 292.203(a) and adopted by the Department in 220 C.M.R. § 8.02.

Pursuant to the governing regulations, the Company is required to calculate short-run energy purchase rates on a time-of-supply basis for two rating periods: peak and off-peak. In addition, the Company is required to calculate a non-time-differentiated rate, i.e., a total period rate, which is a weighted average of the time-of-supply rates, where the weighting is a function of the number of hours in each rating period. See 220 C.M.R. § 8.04(4)(b).

The Company proposed the following standard rates to be paid to QFs during January, February, and March 1995:

Energy Rates By Voltage Level (Dollars/KWH)

<u>Voltage Level</u>	<u>Peak</u>	<u>Off-Peak</u>	<u>Total</u>	
13.8 KV	0.02921	0.02341	0.02427	
Primary	0.02972	0.02383	0.02470	
Secondary	0.03014		0.02417	0.02506

(Exh. CELC-4, Sch. 1, at 1).

Voltage Level Short-Run Capacity Rates (Dollars/KWH)

13.8 KV	0.04610
Primary	0.04708
Secondary	0.04753

(id. at 9).

IV. FINDINGS

Based on the foregoing, the Department finds:

1. that the fuel charge to be applied to Company bills issued pursuant to meter readings for the billing months of January, February, and March 1995, shall be \$0.02840 per KWH. (The calculation of the fuel charge is shown in Table 1 attached to this Order.)

2. that the QF purchase rates for January, February, and March 1995, shall be the rates set forth in Section III, above.

V. ORDER

Accordingly, after due notice, hearing and consideration, it is

ORDERED: That the Cambridge Electric Light Company is authorized to put into effect a quarterly fuel charge of \$0.02840 per KWH as set forth in Section IV, Finding 1 of this Order for bills issued pursuant to meter readings for the billing months of January, February, and March 1995, subject to refund; and it is

FURTHER ORDERED: That the fuel charge approved herein shall apply to kilowatthours sold to the Company's customers subject to the jurisdiction of the Department and shall be itemized separately on all such customers' electric bills; and it is

FURTHER ORDERED: That the Company's Qualifying Facility power purchase rates for the billing months of January, February, and March 1995, shall be those set forth in the Table on Page 4 of this

Order; and it is

FURTHER ORDERED: That the Company, in all future fuel charge proceedings, shall notify all intervenors and their respective counsel from the Company's prior two fuel charge proceedings that it is proposing an adjustment to its fuel charge, and shall also notify these persons of the date scheduled for the hearing on the proposed fuel charge at least ten days in advance of the hearing; and it is

FURTHER ORDERED: That the Company, in all future fuel charge proceedings, shall provide all intervenors and their respective counsel from the prior two fuel charge proceedings with a copy of its fuel charge filing, in hand or by facsimile, on the same day it is filed with the Department; and it is

FURTHER ORDERED: That, pursuant to G.L. c. 164, § 94G (a) and (b), fuel costs allowed by this Order are subject to such disallowance as the Department may determine in any subsequent investigation of the Company's performance period that includes the quarter applicable to the present charges.

By Order of the Department,

Kenneth Gordon, Chairman

Mary Clark Webster, Commissioner

Appeal as to matters of law from any final decision, order or ruling of the Commission may be taken to the Supreme Judicial Court by an aggrieved party in interest by the filing of a written petition praying that the Order of the Commission be modified or set aside in whole or in part.

Such petition for appeal shall be filed with the Secretary of the Commission within twenty days after the date of service of the decision, order or ruling of the Commission, or within such further time as the Commission may allow upon request filed prior to the expiration of twenty days after the date of service of said decision, order or ruling. Within ten days after such petition has been filed, the appealing party shall enter the appeal in the Supreme Judicial Court sitting in Suffolk County by filing a copy thereof with the Clerk of said Court. (Sec. 5, Chapter 25, G.L. Ter. Ed., as most recently amended by Chapter 485 of the Acts of 1971).